

EDWARD H. KUBO, JR. (2499)
United States Attorney
District of Hawaii

HARRY YEE (3790)
THOMAS A. HELPER (5676)
Assistant U.S. Attorney
Room 6-100, PJKK Federal Bldg.
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-3752
Email: harry.yee@usdoj.gov
tom.helper@usdoj.gov
Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

'ILIO'ULAOKALANI COALITION, a)	CIVIL NO. 04-00502 DAE BMK
Hawaii nonprofit corporation;)	
NA 'IMI PONO, a Hawaii)	SCHEDULING ORDER
unincorporated association;)	
and KIPUKA, a Hawaii)	
unincorporated association)	
)	
Plaintiffs,)	
v.)	
)	
DONALD H. RUMSFELD, Secretary)	
of Defense; and LES BROWNLEE,)	
Acting Secretary of the)	
United States Department)	
of the Army)	
)	
Defendants.)	
_____)	

SCHEDULING ORDER

On November 20, 2006, Plaintiffs 'Ilio'ulaokalani
Coalition, Na 'Imi Pono, and Kipuka, represented by David L.
Henkin, and Defendants Department of the Army, et al.,

represented by Thomas Helper and Barry Weiner, came on hearing before Judge David Ezra.

For reasons stated in open court,

IT IS HEREBY ORDERED that:

The parties identify their respective discovery requests by 8:00 p.m. on November 20, 2006.

The parties confer and attempt to reach agreement on the scope and timing of discovery. By noon on November 21, 2006, the Parties shall notify this Court whether they have reached agreement regarding the scope and timing of discovery. If the Parties cannot reach agreement by Noon on November 21, 2006, each Party shall submit a statement with their proposal for the scope and timing of discovery by 5:00 p.m. on November 21, 2006.

On November 22, 2006, this Court shall either approve the Parties' agreement or, if the Parties do not reach an agreement, shall issue an order regarding what discovery will be permitted.

Discovery shall be completed by December 7, 2006. A status conference shall be scheduled as soon as possible thereafter, at which time this Court shall establish a schedule for submission or supplemental briefing.

A hearing on the terms of an interim injunction shall be held no later than December 18, 2006.

APPROVED AS TO FORM:

/s/ David L. Henkin

DAVID L. HENKIN
EARTHJUSTICE

IT IS SO ORDERED

DATED: November 22, 2006, Honolulu, Hawaii



David Alan Ezra
United States District Judge

'Ilio'ulaokalani Coalition v. Rumsfeld; Civil No. 04-00502 DAE
BMK, "Scheduling Order"